



Order Filed on January 24, 2019
by Clerk
U.S. Bankruptcy Court
District of New Jersey

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-1(b)

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Attorneys for Secured Creditor
Bayview Loan Servicing, LLC as servicer for The Bank
of New York Mellon FKA The Bank of New York as
Trustee for the Certificateholders of CWalt, INC.,
Alternative Loan Trust 2004-14T2, Mortgage Pass-
Through Certificates Series 2004-14T2

In Re:
Shamsun N. Helaly, Mian Helaly

Debtors.

Case No.: 18-24293 KCF

Adv. No.:

Hearing Date: 1/9/19 @ 9:00 a.m..

Judge: Katherine C. Ferguson

**ORDER CURING POST-PETITION ARREARS & RESOLVING MOTION FOR
RELIEF FROM STAY**

The relief set forth on the following pages, numbered two (2) through three (3) is hereby
ORDERED.

DATED: January 24, 2019


Honorable Kathryn C. Ferguson
United States Bankruptcy Judge

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Debtor: Shamsun N. Helaly, Mian Helaly

Case No: 18-24293 KCF

Caption of Order: ORDER CURING POST-PETITION ARREARS AND RESOLVING MOTION FOR RELIEF FROM STAY

This matter having been brought before the Court by KML Law Group, P.C., attorneys for Secured Creditor, Bayview Loan Servicing, LLC as servicer for The Bank of New York Mellon FKA The Bank of New York as Trustee for the Certificateholders of CWalt, INC., Alternative Loan Trust 2004-14T2, Mortgage Pass-Through Certificates Series 2004-14T2, Denise Carlon appearing, upon a motion to vacate the automatic stay as to real property located at 86 Wild Azalea Lane, Montgomery, NJ, 08558, and it appearing that notice of said motion was properly served upon all parties concerned, and this Court having considered the representations of attorneys for Secured Creditor and Robert C. Nisenson, Esquire, attorney for Debtor, and for good cause having been shown

It is **ORDERED, ADJUDGED and DECREED** that as of December 18, 2018, Debtors are in arrears outside of the Chapter 13 Plan to Secured Creditor for payments due August 2018 through December 2018 for a total post-petition default of \$31,251.42 (3 @ \$5,405.94, 2 @ \$7,516.80); and

It is further **ORDERED, ADJUDGED and DECREED** that Debtor shall make an immediate payment of \$8,400.00; and

It is further **ORDERED, ADJUDGED and DECREED** that the balance of the arrears in the amount of \$22,851.42 will be paid over six months by Debtor remitting \$3,808.57 per month, which additional payments shall begin on January 1, 2019 until the post-petition arrears are cured; and

It is further **ORDERED, ADJUDGED and DECREED** that the Debtor reserves the right to object to the notice of payment change filed in this case; and

It is further **ORDERED, ADJUDGED and DECREED** that regular mortgage payments are to resume January 1, 2019, directly to Secured Creditor's servicer, Bayview Loan Servicing, LLC, ATT: Cashier Dept, 4425 Ponce de Leon Blvd, 5th Floor, Coral Gables, FL 33146 (Note: the amount of the monthly mortgage payment is subject to change according to the terms of the note and mortgage); and

It is further **ORDERED, ADJUDGED and DECREED** that for the Duration of Debtor's Chapter 13 bankruptcy proceeding, if any of the cure payments or regular monthly mortgage payments are not made within thirty (30) days of the date said payment is due, Secured Creditor may obtain an Order Vacating Automatic Stay as to Real Property by submitting a Certification of Default to the Court indicating such payment is more than thirty days late, and Debtors shall have fourteen days to respond; and

It is further **ORDERED, ADJUDGED and DECREED** that a copy of any such application, supporting certification, and proposed Order must be served on the Trustee, Debtor, and Debtor's counsel at the time of submission to the Court; and

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Debtor: Shamsun N. Helaly, Mian Helaly

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It is further **ORDERED, ADJUDGED and DECREED** that Secured Creditor is hereby awarded reimbursement of fees and costs in the sum of \$350.00 for attorneys' fees and \$181.00 for filing fees, totaling \$531.00, which is to be paid through Debtors' Chapter 13 plan and the motion is hereby resolved.